

FEB 19 2005

**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission: 9

| | |
|------------------------|----------------------|
| Application Number | 09/608,184 |
| Filing Date | June 30, 2000 |
| First Named Inventor | Samuel N. Zellner |
| Art Unit | 2134 |
| Examiner Name | Christopher J. Brown |
| Attorney Docket Number | BS99224 |

ENCLOSURES

(Check all that apply)

- ☐ Fee Transmittal Form
☐ Fee Attached
- ☐ Amendment/Reply
☐ After Final
☐ Affidavits/declaration(s)
- ☐ Extension of Time Request
☐ Express Abandonment Request

- ☐ Information Disclosure Statement
☐ Certified Copy of Priority Document(s)
☐ Response to Missing Parts/Incomplete Application
☐ Response to Missing Parts under 37 CFR 1.52 or 1.53

- ☐ Drawing(s)
☐ Licensing-related Papers
- ☐ Petition
☐ Petition to Convert to a Provisional Application
☐ Power of Attorney, Revocation
Change of correspondence Address
☐ Terminal Disclaimer
☐ Request for Refund

- ☐ CD, Number of CD(s)

- ☐ After Allowance Communication to Group
☐ Appeal Communication to Board of Appeals and Interferences
☐ Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
☐ Proprietary Information

- ☐ Status Letter

- ☒ Other Enclosure(s) (please identify below):
(1) Interview Request Form
(2) Proposed Claim Amendments to January 27, 2005 Final Office Action

Remarks: I will be out of the office on Tuesday, February 22, 2005, and will return on Wednesday. Please give me a call (757.253.5729) after Tuesday, and we'll arrange the interview. Thanks.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

| | | | |
|-------------------|----------------------|-----------|--------|
| Name (Print/Type) | Bambi Faivre Walters | Reg. No.: | 45,197 |
| Signature | | | |
| Date | February 19, 2005 | | |

CERTIFICATE OF TRANSMISSION / MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner For Patents, PO Box 1450, Alexandria, VA 22313-1450 on the date shown below.

| | | | |
|-------------------|----------------------|------|-------------------|
| Name (Print/Type) | Bambi Faivre Walters | Date | February 19, 2005 |
| Signature | | | |

PTOL-413A (09-04)
 Approved for use through 07/31/2006, OMB 0651-0031
 U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Applicant Initiated Interview Request Form

Application No.: 09/606,184 First Named Applicant: SAM ZELLNER
 Examiner: CHRISTOPHER BROWN Art Unit: 2134 Status of Application: FINAL OA
 MAILED 01/27/05

Tentative Participants:

(1) CHRISTOPHER BROWN (2) BAMBI WALTERS
 (3) _____ (4) _____

Proposed Date of Interview: FIRST WEEK OF MARCH Proposed Time: 1:00 (AM/PM) (PM)

Type of Interview Requested:

(1) ☐ Telephonic (2) ☒ Personal (3) ☐ Video Conference

Exhibit To Be Shown or Demonstrated: ☐ YES ☒ NO

If yes, provide brief description: _____

Issues To Be Discussed

| Issues (Rej., Obj., etc) | Claims/ Fig. #s | Prior Art | Discussed | Agreed | Not Agreed |
|-----------------------------|--------------------|--|--------------------------|--------------------------|--------------------------|
| (1) <u>103</u> | <u>41</u> | <u>BARTOLI, BLONDER,</u> <u>60-05M, 774</u> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| (2) <u>103</u> | <u>10-16</u> | <u>"</u> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| (3) <u>103</u> | <u>17-21</u> | <u>"</u> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| (4) _____ | _____ | _____ | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

☐ Continuation Sheet Attached

Brief Description of Arguments to be Presented:

PLEASE SEE ATTACHED "B599224 PROPOSED CLAIM
AMENDMENTS IN RESPONSE TO JANUARY 27, 2005 OA"

An interview was conducted on the above-identified application on _____.

NOTE: This form should be completed by applicant and submitted to the examiner in advance of the interview (see MPEP § 713.01).

This application will not be delayed from issue because of applicant's failure to submit a written record of this interview. Therefore, applicant is advised to file a statement of the substance of this interview (37 CFR 1.133(b)) as soon as possible.

Bambi Walters
 Applicant/Applicant's Representative Signature

Examiner/SPE Signature

BAMBI FAIVRE WALTERS
 Typed/Printed Name of Applicant or Representative

45,197
 Registration Number, if applicable

This collection of information is required by 37 CFR 1.133. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

BS99224 Proposed Claim Amendments in Response to January 27, 2005 OA

[c01] (currently amended) A method for monitoring a commercial transaction for which there is a payer, comprising the steps of:

~~initiating the commercial transaction;~~

~~requesting authorization of the commercial transaction; and~~

receiving a request for the commercial transaction, the request comprising at least one of a request to access an account, a request for authorization to debit an account, a request for authorization to post charges to an account, and an instruction to post credit to an account, the account associated with the payer and a communications address of the payer;

creating a notification message of the request for the commercial transaction, the notification message comprising at least one of a merchant name, a merchant address, an amount of the commercial transaction, a date of the commercial transaction, a time of the commercial transaction, a name of the payer, a reference number of the commercial transaction, and a help communications address for assistance with the commercial transaction; and

communicating the a notification message to the associated communications address of the payer upon a request for authorization of the commercial transaction, the notification message comprising a help communications address for assistance with the commercial transaction.

Cf. Blonder, Goldsmith, & Bartoli

-- *Blonder dependent on threshold or pre-defined values being met*

-- *Goldsmith does not disclose help communications address, only applies when (1) there is a detected breach, (2) "immediate notification of authorized account activity, such as fees and access by AUTHORIZED parties. This immediate access allows users to monitor their account to avoid being overdrawn."*

-- *Bartoli – help communications address is (1) only communicated if transaction is DENIED and (2) the disclosed communications address is limited to a "customer assistance representative" and does not suggest or disclose help*

BS99224 Proposed Claim Amendments in Response to January 27, 2005 OA

contacts in the event of fraud such as regulatory authority (e.g., police) or Equifax.

[c02] (cancelled)

[c03] (previously presented) The method recited in claim 1, wherein the step of communicating the notification message to the payer comprises communicating the notification message to a device used by the payer, the device comprising at least one of a cellular telephone, personal computer, internet appliance, personal digital assistant and facsimile machine.

[c04] (previously presented) The method recited in claim 2, further comprising the steps of:

- creating an email message containing the notification message;
- sending the email message to an email mailbox of the payer to notify the payer of the commercial transaction.

[c05] (previously presented) The method recited in claim 2, further comprising the steps of:

- creating an email message containing the notification message;
- sending the email message to a paging service;
- transmitting a page containing the notification message to a pager used by the payer.

[c06] (previously presented) The method recited in claim 1, wherein the commercial transaction comprises one of ~~is~~ a credit card transaction, an E-commerce transaction, and an on-line banking transaction.

[c07] (cancelled)

BS99224 Proposed Claim Amendments in Response to January 27, 2005 OA

[c08] (currently amended) The method recited in claim 1, wherein the notification message further comprises a response to the request ~~for authorization~~, the response comprising one of authorization of the request, confirmation of the request, continued monitoring of the commercial transaction, and denial of the request.

[c09] (original) The method recited in claim 1, wherein the commercial transaction is an ATM transaction.

[c10] (currently amended) A system for monitoring a commercial transaction for a payer of the commercial transaction, comprising:

~~an input device to input information required to complete the commercial transaction;~~

~~a computer in a processing center, comprising:~~

a first process to receive a request for the commercial transaction, the request comprising at least one of a request to access an account, a request for authorization to debit an account, a request for authorization to post charges to an account, and an instruction to post credit to an account, the account associated with the payer and a communications address of the payer ~~authorization for the commercial transaction; and~~

~~a second process to process the authorization request and provide an authorization code to said input device to continue the commercial transaction; and~~

~~a third~~ second process to communicate a notification message to the associated communications address of the payer cause transmission of a notification message to the payer, wherein the notification message comprises at least one of a merchant name, a merchant address, an amount of the commercial transaction, a date of the commercial transaction, a time of the commercial transaction, a name of the payer, a reference number of the commercial transaction, and a help communications address for assistance with the commercial transaction. ~~the notification message~~

BS99224 Proposed Claim Amendments in Response to January 27, 2005 OA

~~comprises one of a help communications address for assistance with the commercial transaction and a response to the request for authorization, wherein the response comprises one of authorization of the request and denial of the request by a processing center; and a notification device to receive the notification message and present it to the payer.~~

See comments of claim 1

Further, this claims provides an "instruction" to continue with the transaction regardless of the notification to the user and this "instruction" could happen PRIOR to the communication of the notification message

[c11] (currently amended) The system of claim 10, further comprising:

a notification device of the associated communications address, the notification device receiving the notification message and presenting the notification message.

~~wherein said processing center further comprises a database coupled to said computer, the database comprising at least one notification address corresponding to the payer to which the notification message is sent.~~

[c12] (currently amended) The system of claim ~~11~~ 10, wherein said notification device is a pager.

[c13] (currently amended) The system of claim 10, further comprising a third process to process the request and provide an instruction to an input device to continue the commercial transaction, wherein the ~~second~~ third process comprises a process to determine whether a transaction threshold amount has been exceeded and to communicate with the ~~second~~ third process to prevent transmission of the notification message if the transaction threshold amount has not been exceeded.

BS99224 Proposed Claim Amendments in Response to January 27, 2005 OA

[c14] (currently amended) The system of claim 10, further comprising a third process to process the request and provide an instruction to an input device to continue the commercial transaction, wherein the ~~second~~ third process comprises a process to determine whether a filter definition has been met and to communicate with the ~~second~~ third process to prevent transmission of the notification message if the filter definition has not been met.

[c15] (currently amended) The system of claim 10, wherein the computer comprises ~~second~~ another process to obtain ~~approval~~ a responsive communication from the payer prior to ~~proceeding with~~ completing the commercial transaction.

[c16] (original) They system of claim 10, wherein the commercial transaction is one of a credit card transaction, an ATM transaction, an on-line banking transaction and an E-commerce transaction.

[c17] (currently amended) ~~The~~ A system for reducing the likelihood of fraud in a commercial transaction comprising:

at least one processing device communicating with a communications network, the at least one processing device receiving a request for the commercial transaction, the request comprising at least one of request to access the account, a request for authorization to debit an account, a request for authorization to post charges to an account, and an instruction to post credit to an account, the account associated with the payer and a communications address of the payer, the at least one processing device further creating a notification message of the request for the commercial transaction, the notification message comprising at least one of a merchant name, a merchant address, an amount of the commercial transaction, a date of the commercial transaction, a time of the commercial transaction, a name of the payer, a reference number of the commercial transaction, and a help communications address for assistance with the commercial transaction, and the at least one processing device communicating the notification message to the associated communications address of the payer.

BS99224 Proposed Claim Amendments in Response to January 27, 2005 OA

~~an input device on which the commercial transaction is initiated;~~
~~a processor for accepting a request for authorization from the input device;~~
and
~~a notification message created by said processor and sent to a payer of the commercial transaction, upon the processor's receiving the request for authorization, wherein the notification message comprises one of a help communications address for assistance with the commercial transaction and a response to the request for authorization, wherein the response comprises one of authorization of the request and denial of the request.~~

See comments to claim 1

[c18] (original) The system of claim 17, further comprising a filter for which a filter definition is assigned, the notification message being sent only if the filter definition is satisfied.

[c19] (original) The system of claim 17, further comprising a transaction threshold amount that is set, the notification message being sent only if the commercial transaction causes the transaction threshold amount to be exceeded.

[c20] (original) The system of claim 17, further comprising an approval request that is sent by the processor to the payer wherein the commercial transaction proceeds only after approval by the payer.

[c21] (original) The system of claim 17, wherein the commercial transaction is one of a credit card transaction, an ATM transaction, an E-commerce transaction and an on-line banking transaction.

BS99224 Proposed Claim Amendments in Response to January 27, 2005 OA

[c32] - [c35] Consider amending similar to claim 10; however, the instruction to the input device would be suspended until either (1) notification message sent to payer or (2) response from payer

[c41] (currently amended) The ~~system~~ method of claim 1 36, further comprising the steps of:

receiving a request to connect the payer with the help communications address for assistance with the financial transaction; and

initiating a communications connection among the payer and the help communications address; and

~~sending the notification message to the help communications address.~~